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FAX TRANSMISSION COVER LETTER

TO: Commissioner for Patents
 Attn: Examiner K. Mullen
 Mail Stop Amendment
 P.O. Box 1450
 Alexandria, VA 22313-1450

DATE: November 30, 2005
 FROM: J. Scot Wickhem
 OUR REF: 1201.1105101
 TELEPHONE: 612-677-9050

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Title of Document(s) Transmitted: AMENDMENT, AND TERMINAL DISCLAIMER TO
 OBVIATE DOUBLE PATENTING REJECTION OVER A
 PRIOR PATENT

Applicant: Gust H. Bardy et al.
 Serial No.: 09/940,283
 Filed: August 27, 2001
 Group Art Unit: 3766
 Our Ref. No.: 1201.1105101
 Confirmation No.: 8060
 Customer No.: 21691

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 Name: Kathleen L. Boekley

November 30, 2005

Date

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P A T E N T

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al. Confirmation No. 8060
 Serial No.: 09/940,283 Examiner: K. Mullen
 Filed: August 27, 2001 Group Art Unit: 3766
 Docket No.: 1201.1105101 Customer No. 21691
 For: DUCKBILL-SHAPED IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR
 CANISTER AND METHOD OF USE

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
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AMENDMENTCERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (J)(B))

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Kathleen L. Boekley

Type or print name of person signing certification

Kathleen L. Boekley
Signature

November 30, 2005

Date

Dear Sir:

This paper is in response to the Office Action mailed September 6, 2005, with a shortened statutory period set to expire December 6, 2005. This paper is filed within the set period for response such that no extension of time is necessary.

Please amend the above-referenced application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 20 of this paper.